

BINGHAM McCUTCHEN

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DATE August 21, 2003

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GROUP 2600

	NAME	FAX	PHONE
TO	Examiner Pablo N. Tran Group Art Unit 2684 U.S. Patent and Trademark Office	(703) 872-9314	(703) 308-7941

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FROM Erin C. Ming (650) 849-4800 (650) 849-4904
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PAGES (including this cover page): 17

RE U.S. Appl. No. 08/891,301

Message:

Dear Examiner Tran:

Attached is the Amendment and Response to the January 31, 2003 Office action with the accompanying transmittal documents, which were timely filed with the USPTO on April 30, 2003 and received by the USPTO on May 6, 2003, as evidenced by the attached copy of the stamped return postcard. After I received your telephone call, I logged onto PAIR to check on the status of the above-identified application. It was only after checking PAIR that I discovered that the attached Amendment and Response to Office action had not been entered. Please enter the attached Amendment and Response to Office action as it was timely filed back on April 30, 2003. If you have any questions or comments, please contact me at the above number.

Thank you.

Erin C. Ming

Boston
Hartford
London
Los Angeles
New York
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San Francisco
Silicon Valley
Tokyo
Walnut Creek
Washington

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AUG 22 2003

GROUP 2600

First Class Mail
Date Mailed April 30, 2003
Due Date: April 30, 2003
Atty. Docket/ 224/183
Billing No.: 21039-7001 (PCM:lm)
Applicant(s): Kenneth Harrenstien et al.
Title: DATA COMMUNICATION PROTOCOLS FOR A MOBILE-BASED
CLIENT-SERVER SYSTEM OVER A WIRELESS NETWORK
Serial No.: 08/891,301 Filing Date: July 10, 1997

Box Amendment
Commissioner for Patents
Washington, DC 20231

SIR: Please place the U.S. Patent and Trademark Office date stamp hereon to acknowledge receipt of the following:

1. Return Receipt Postcard
2. Transmittal (3 pgs.)
3. Fee Transmittal Form (1 pg.) in duplicate
4. Amendment and Response to Office Action (11 pgs.)



52108587.1/2210397028/OID-1987-02-02

Patent
224/183
21039-7001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kenneth Harrenstien et al.

Serial No.: 08/891,301

Filed: July 10, 1997

For: DATA COMMUNICATION
PROTOCOLS FOR A MOBILE-BASED
CLIENT-SERVER SYSTEM OVER A
WIRELESS NETWORK

Group Art Unit: 2684

Examiner: Pablo N. Tran

AMENDMENT/RESPONSE TRANSMITTAL

Box Amendment
Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith for the above-identified application are the following:

1. Amendment and Response to Office Action (11 pages);
2. Fee Transmittal (in duplicate); and
3. Return Postcard.

CERTIFICATE OF MAILING
(37 C.F.R. §1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to Box Amendment, Commissioner for Patents, Washington, D.C. 20231.

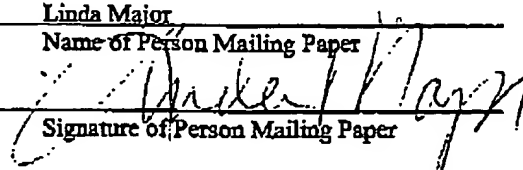
April 30, 2003

Date of Deposit

52108583.1/2021039-7012242001/OID-1997-02-02

Linda Major

Name of Person Mailing Paper


Signature of Person Mailing Paper

Patent
224/183
21039-7001

- ☐ Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
1 month	<input type="checkbox"/> \$55.00	<input type="checkbox"/> \$110.00
2 months	<input type="checkbox"/> \$200.00	<input type="checkbox"/> \$400.00
3 months	<input type="checkbox"/> \$460.00	<input type="checkbox"/> \$920.00
4 months	<input type="checkbox"/> \$720.00	<input type="checkbox"/> \$1,440.00
5 months	<input type="checkbox"/> \$980.00	<input type="checkbox"/> \$1,960.00

- ☐ An extension for _____ months has already been secured and the fee paid therefor of _____ is deducted from the total fee due for the total months of extension now requested.
- ☐ Extension fee due with this Request _____.
- ☒ If an additional extension of time is required, please consider this a petition therefor.

FEES FOR CLAIMS:

- ☐ Applicant claims small entity status pursuant to 37 CFR 1.27.

The fees for claims (37 CFR § 1.16(b)-(d)) have been calculated as shown below:

Total Claims	54	-	42	=	12	x	\$18.00	\$216.00
Independent Claims	2	-	9	=	0	x	\$84.00	\$0.00
Multiple Dependent Claims	\$280	(if applicable)					<input type="checkbox"/>	\$0.00
TOTAL OF ABOVE CALCULATIONS								\$216.00
Reduction by ½ for Filing by Small Entity.								
Note 37 CFR §§ 1.9, 1.27, 1.28.								<input type="checkbox"/>
TOTAL FEES SUBMITTED HERewith								\$216.00

- ☐ A check in the amount of _____ is enclosed to cover the above fee(s).
- ☒ Charge Bingham McCutchen's Deposit Account No. 50-2518, referencing billing reference no. 7012242001, in the amount of \$216.00.

Patent
224/183
21039-7001

- ☒ The Commissioner is authorized to charge Bingham McCutchen's Deposit Account No. 50-2518, referencing billing reference no. 7012242001 for any fees required under 37 CFR §§ 1.16 and 1.17 that are not covered, in whole or in part, and to credit any overpayments to said Deposit Account 50-2518.

Respectfully submitted,

BINGHAM McCUTCHEN LLP

Dated: 4-30-03

By: 

Erin C. Ming
Reg. No. 47,797

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PTO/SB/17 (09-01)
 Approved for use through 12/31/2002. OMB 0651-0032
 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL FOR FY 2003

Patent fees are subject to annual revision.

Complete If Known

Application Number 08/891,301
 Filing Date July 16, 1997
 First Named Inventor Kenneth Harrington et al.
 Examiner Name Pablo N. Tran
 Group Art Unit 2684
 Attorney Docket No. 224/183; 21039-7001

TOTAL AMOUNT OF PAYMENT

\$216.00

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 50-2518

Deposit Account Name Bingham McCutchen LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	\$
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) \$

2. EXTRA CLAIM FEES

Total Claims	54	42**	12	x	18	=	324	Fee Paid
Independent Claims	2	9**	0	x	84	=	\$0	
Multiple Dependent						=	\$	

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	0	Claims in excess of 20
103	84	203	42	Independent claims in excess of 5
104	280	204	140	Multiple dependent claims, if not paid
109	84	209	42	**Refund independent claims over original patent
110	18	210	0	**Refund claims in excess of 20 and over original patent

SUBTOTAL (2) \$216.00

** or number previously paid, if greater; For reissues, see above.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
129	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	820*	112	820*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	930	217	465	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
126	1,950	226	990	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	330	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
125	180	125	180	Submission of Information Disclosure Stmt.	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.128(a))	
148	740	248	370	For 88th additional invention to be examined (37 CFR § 1.129(b))	
178	740	278	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Erin C. Ming	Registration No. (Attorney/Agent)	47,797	Telephone	(850) 849-4904
Signature		Date	April 30, 2003		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required should be sent to the Patent Information Office, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS